To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Thursday, May 11, 2017 RPC Meeting at 5:15pm at SCRCOG, 127 Washington Avenue, 4th Floor West, North Haven, CT 06473

AGENDA

1. Administration

1.1. Minutes of the April 13, 2017 RPC Meeting

2. Action Items


3. Other Business

3.1. Regional POCD Update

The agenda and attachments for this meeting are available on our website at www.sccrcog.org. Please contact SCRCOG at (203) 234-7555 for a copy of agenda in a language other than English. Auxiliary aids/services and limited English proficiency translators will be provided with two week’s notice.

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Minutes for Thursday, April 13, 2017 Meeting at 5:15 pm at SCRCOG, 127 Washington Avenue, 4th FL West, North Haven, CT.

Present: James Giulietti, David White, Michael Calhoun, Charles Andres, Robert Roscow, Eugene Livshits

1 Administration

1.1 Minutes of the January 12, 2017 RPC meeting.

Motion to accept the minutes as presented: Michael Calhoun. Second: David White.
Vote: Unanimous.

2 Statutory Referrals

2.1 South Central Connecticut Regional Water Authority: Proposed Application in accordance with Special Act 77-98, as amended for the disposition of 1.67 acres located east of Sperry Road, 1.84 acres located west of Litchfield Turnpike, and 2.47 acres located east of Johnson Road in Woodbridge

By resolution, the RPC has determined that the proposed application for disposition of 1.67 acres located east of Sperry Road, 1.84 acres located west of Litchfield Turnpike, and 2.47 acres located east of Johnson Road does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region. There do not appear to be any impacts to the habitat or ecosystem of the Long Island Sound.


2.2 City of Milford: Proposed Zoning Regulation Amendment to Section 5.8.2 Zoning Applicability – FEMA Flood Panel Changes

By resolution, the RPC has determined that the proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.


2.3 City of Milford: Proposed Zoning Regulation Amendment to Section 5.8.13.1 – Residential Construction

By resolution, the RPC has determined that the proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

2.4 Town of Hamden: Proposed Zoning Regulation Amendment to Section 430.1 – Flood Plain Zones & Special Flood Hazard Areas

By resolution, the RPC has determined that the proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.


2.5 City of Shelton: Proposed Zoning Regulation Amendments to Section 24 Area, Location and Bulk Standards; Section 44 Signs; Section 23 Permitted Uses; and Section 35 Replace Planned Residence Districts (PRD) with Design Residential Developments (DRD)

By resolution, the RPC has determined that the proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.


2.6 Town of Woodbridge: Proposed Zoning Regulation Amendment to Section 12 Flood Hazard Area Regulations, Subsection 14.2

By resolution, the RPC has determined that the proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.


Motion to add the Town Cheshire and Two City of West Haven Referrals to the Agenda: Charles Andres. Second: Michael Calhoun. Vote: Unanimous.

2.7 Town of Cheshire: Proposed Zoning Regulation Amendment to Section 46.1 – Flood Plain Management Regulation

By resolution, the RPC has determined that the proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.


2.8 City of West Haven: Proposed Zoning Regulation Amendments to Sections 65 and 69 allowing the use of digitally enhanced or electronic billboards along I-95 (ZR-17-01)

By resolution, the RPC has determined that the proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

2.9 City of West Haven: Proposed Zoning Regulation Amendments to Sections 65 and 69 allowing the use of digitally enhanced or electronic billboards along I-95 (ZR-17-38)

By resolution, the RPC has determined that the proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.


3 Other Business

Referral 2.1: Town of North Haven

Subject:

Town of North Haven Plan of Conservation and Development Update

Staff Recommendation:

The Plan of Conservation and Development for the Town of North Haven appears to be consistent with the policies and goals identified in both the State and Regional Plans of Conservation and Development.

Background:

The Town of North Haven has submitted a proposed draft Plan of Conservation and Development (POCD) dated January 17, 2017. The proposed POCD discusses the planning process undertaken to complete the update along with an Action Agenda, Future Land Use Map and Plan Consistency. Chapter 7: Action Agenda and Future Land Use Plan includes a section on Plan Consistency, which describes how the North Haven POCD update is consistent with each of the growth management principles with the State Plan.

The POCD is organized within the following chapters: Demographics and Housing, Land Use Planning, Economic Development, Transportation, Infrastructure and Community Facilities, Natural & Historic Resources and Open Space, Energy. Each chapter discusses the existing conditions, and the goals and strategies of each of the topics.

The POCD is consistent with Regional Plan as it encourages a diversity and affordability of housing, mixed-use development in appropriate areas (existing infrastructure), infill development. The POCD has strategies to encourage the use of low-impact development techniques, formation of linear trails. The goals and strategies within the North Haven POCD are consistent with the development and conservation policies promoted by the State and Regional Plans of Conservation and Development.

Communication:

In researching this proposal, I notified the adjacent municipalities in the South Central Region.
22 March 2017

Mr. Eugene Livshits
Regional Land Use Planner
South Central Regional Council of Governments
127 Washington Avenue-4th Floor West
North Haven, CT 06473

Re: “Draft” Plan of Conservation and Development

Dear Mr. Livshits,

In accordance with Connecticut General State Statutes, Section 8-23, and on behalf of the North Haven Planning & Zoning Commission, I am forwarding for review and comment a copy of their “Draft” Plan of Conservation and Development.

Very truly yours,

[Signature]
Alan A. Fiedrichsen
Land Use Administrator
AAF/Ilh
Enclosures

cc: First Selectman
    V. Carlson, Chairman, Planning & Zoning Commission
Referral 2.2: City of West Haven

Subject:
City of West Haven Plan of Conservation and Development Update

Staff Recommendation:

The Plan of Conservation and Development for the City of West Haven appears to be consistent with the policies and goals identified in both the State and Regional Plans of Conservation and Development.

Background:

The City of West Haven has submitted a proposed draft Plan of Conservation and Development (POCD) dated March 24, 2017. The proposed POCD identifies several State, Regional and Local plans that have informed the POCD update process. The POCD organized around the following chapters: Observing the City, Engaging the City, Planning the City, and making it work. The Planning the City chapter include specific planes with West Haven for which strategies were developed (Allingtown, Route 1/Post Road, Downtown, Train Station Area, Yale West/Frontage Road, The Beachfront & The Beach). There is also an index of strategies at the end of the POCD. Additionally, there is table describing the consistency between the West Haven Propose POCD and the State POCD.

The POCD is consistent with Regional Plan as it encourages a redevelopment in areas with existing infrastructure and the promotion TOD and low impact development techniques. The West Haven POCD appears to be consistent with the development and conservation policies promoted by the State and Regional Plans of Conservation and Development.

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
April 17, 2017

RPC Referral
South Central Regional COG
127 Washington Avenue, 4th Floor West
North Haven, CT 06473

RE: Planning and Zoning Application – POCD 2017

Dear Mr. Livshits:

In accordance with Section 8-23 of the Connecticut General Statutes, the City of West Haven hereby refers to you the following application that has been submitted for your review:

Proposed Plan of Conservation and Development 2017

The City has prepared a draft of a proposed Plan of Conservation and Development, pursuant to Section 8-23 of the CT General Statutes, to replace its current Plan of Conservation and Development, which was adopted in 2004. A digital copy of the proposed Plan of Conservation and Development can be viewed at the following link: http://bit.ly/westhavenet

This version is nearly complete. While we are still making modifications to the sections on Community Facilities and Implementation, the majority of recommendations, goals and policies are as they will appear in the final draft. Final versions of these remaining sections will be available by early May. Please let us know if you would like a hard copy of this draft POCD to review.

The West Haven Planning and Zoning Commission will hold a public hearing on this draft POCD on or about Thursday, June 22, 2017 at 7:00 PM in City Hall, 355 Main Street, West Haven, CT. Please submit any comments on the proposed application by the date of this public hearing. Thank you for your assistance. Please contact me if you have any questions on this referral.

Sincerely,

David W. Killeen
Assistant City Planner
Referral 2.3: Town of Orange

Subject:

Proposed Zoning Regulation Amendments to the TODD District Zoning Regulations, the Orange Zoning Map, and the Town of Orange 2015 POCD.

Staff Recommendation:

The proposed zoning regulation amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The Town of Orange has submitted proposed zoning regulation amendments to the TODD District Standards, the zoning map, and the Orange 2015 POCD relative to the TODD regulation and map changes. The POCD amendment clarifies the language referring to the proposed Orange Train Station. Amendments to the zoning map remove the “TODD Overlay” zone in areas that have not been zoned TODD Overlay.

Changes were made throughout the Transit Oriented Development District section of the Orange Zoning Regulations, including removing language that allowed the subdivision of a single TODD property. Additional provisions have been made allowing day care centers and restaurants. The amendment changes the affordable housing requirements to align with CGS Section 8-30g, by requiring 15 percent of all housing constructed to be affordable for those earning 80 percent or less of the area median income, and another 15 percent must be deed restricted as affordable for those making 60 percent or less of area median income. There are provisions related to allowing multi-family housing in conjunction with retail and commuter parking structures. There are restrictions on residential density of 10 units per acre, with no more than 200 units total. Additional requirements have been made regarding infrastructure. The specific amendments to the TODD can be reviewed in the agenda packet.

Communication:

In researching this proposal, I notified the adjacent municipalities in the South Central Region.
PETITION TO AMEND THE ORANGE ZONING REGULATIONS -
-Submitted upon the initiative of the Orange Town Plan & Zoning Commission.
To Amend the Orange 2015 POCD relative to TODD Development; To Amend the
Orange Zoning Map relative to TODD eligible properties on Marsh Hill Road; To
Amend the TODD District Standards/Orange Zoning Regulations.

Dear Mr. Amento:

In accordance with the Connecticut General Statutes, enclosed for your review are
proposed changes to the Town of Orange 2015 POCD, the Orange Zoning Map, and the TODD
District Zoning Regulations.

A public hearing on this matter is tentatively scheduled for June 7, 2016.

If you have any questions, please contact me at 203-891-4743.

Very truly yours,

Paul Dinice,
Zoning Administrator
& Enforcement Officer

enclosure
cc: TPZC Members
    V. Marino, Esq.
    J. Zeoli, First Selectman
Amend POCD – May 2017

Encourage Transit-Oriented Development

For a number of years, the Connecticut Department of Transportation (CT-DOT) has been investigating the establishment of a commuter train station in Orange along the Metro-North New Haven line. The station would be located in the extreme southern end of Orange near the intersection of Salemme Lane and Marsh Hill Road.

The New Haven line provides daily rail service between New Haven and Grand Central Terminal in New York. A train station in Orange would make Metro-North rail service more convenient for Orange residents and provide ample parking (very near Exit 41 on Interstate 95) to support rail commuters from other communities. A lack of convenient parking has been one of the main challenges along the New Haven line for many years.

Overall there are anticipated to be benefits to the community from development of the train station:
- Convenience to residents,
- Convenience for employees of local businesses,
- Support of local enterprises (such as the Yale West campus)
- Attractive of future businesses,
- Generator of traffic which can help support local businesses

At this time, the proposal being considered by CT-DOT involves private construction of the train station and a parking structure in conjunction with private development of commercial space and about 250 rental apartments. The State would lease the improvements for 40 years and then obtain ownership.

In 2009, a “zoning review study” prepared for the Town Plan and Zoning Commission recommended consideration of high density mixed-use development in this location provided that such development was “firmly tied” to the construction of the railroad station. In 2010, the Commission adopted a Transit-Oriented Development District regulation (codified as Section 383-216 of the Zoning Regulations) and established a Transit-Oriented Development District Overlay zone which contained similar language.

There is a three party approach to establishing the train station:
- CT-DOT has indicated they will establish the train station if private developers construct a commuter parking garage accessible from a Town road.
Private developers have indicated they will build a commuter parking garage accessible from a Town road as part of a larger development program provided there is sufficient development for it to make economic sense for them to do so.

The Town has indicated it will accept the Town road and authorize an appropriate development program provided the train station will be built.

The Planning and Zoning Commission adopted zoning regulations in 2010 to authorize a Transit Oriented Development District (codified as Article XXIV in the Orange Zoning Regulations – Sections 383-215 et seq.).

So that private development will contribute to an overall development that enhances the Town of Orange, the POCD sets out the following land use objectives and recommendations:

1. The Town will continue to use the Transit-Oriented Development District (TODD), as may be amended, as the regulatory approach for managing growth and development near the proposed train station.

2. The TODD will remain as an overlay zone which may only be “sited” by the Commission when it has determined that the objectives and recommendations for the TODD area have been satisfied in the Commission’s sole judgment. The area considered “eligible” for siting of the TODD shall be that area east of Marsh Hill Road, north of the Metro-North railroad tracks, and south of the Yale West Campus.

3. The area considered “eligible” for siting of TODD shall be that area east of Marsh Hill Road, north of the Metro-North railroad tracks, and south of the Yale West Campus.

4. Conservation Strategies
   a. Natural resources (such as the Oyster River and wetland areas) should be protected.
   b. Development should include “low impact development” (LID) approaches to stormwater management.

5. Infrastructure Strategies
   a. Vehicular Circulation – Any development within the TODD shall demonstrate how it will contribute to the establishment of an overall roadway system that will benefit the TODD area. As shown in the graphics below, the POCD recommends more connections and a meaningful circulation pattern for the TODD planning area. The POCD recommends that roadways be deeded to the Town and/or that access easements be provided to the Town in order to ensure that this outcome is achieved.
b. **Traffic Impacts** - Any development within the TODD shall demonstrate how it will address and mitigate traffic impacts from the proposed development. The POCD recommends the Town hire a traffic consultant (at the applicants expense) to ensure that traffic issues are adequately addressed.

c. **Pedestrian / Bicycle Circulation** - Any development within the TODD shall demonstrate how it will contribute to the establishment of an overall pedestrian and bicycle system that will benefit the TODD and surrounding parts of the community.

d. **Transit Connections** - Any development within the TODD shall demonstrate how it can accommodate transit services which may be available at the time of application or provided in the future.

e. **Piped Utilities** - Any development within the TODD shall demonstrate how it has addressed the need for an overall approach to providing for piped utility systems (such as water, sewer, natural gas, storm drainage, etc.) that will contribute to the overall development of the TODD.
6. Development Strategies
   a. Residential Development - Residential development may occur provided that:
      · At least 15 percent of the units are deed-restricted to be affordable to persons or families earning 80 percent or less of the area median income,
      · At least 15 percent of the units are deed-restricted to be affordable to persons or families earning 60 percent or less of the area median income,
      · The affordable units are similar to the market rate units and are equitably located throughout the development,
      · At least 1,000 of office, research, hotel, or similar commercial space has been built and occupied for each residential unit created.
      · No more than 250 residential units are created throughout the entire TODD District.

7. Other Considerations
   a. Community Space - Any development within the TODD shall provide for areas of open space and/or civic space to enhance the overall TODD area.
   b. Street Trees - Any development within the TODD shall provide for street trees, landscaping, and other enhancements to the public realm.
   c. Building Design - The design of buildings and sites should enhance the community and provide an attractive gateway to Orange.
   d. Building Orientation - Building design should relate to pedestrians (not automobiles) and orient to the street (not parking lots).
   e. Parking - To ensure that a pedestrian-friendly environment is created, it is envisioned that most parking will be provided in parking structures. Surface parking may be appropriate as an accessory use to a proposed building provided that it is shielded from view from public roadways.

Orange will continue to support development of a train station in Orange and promote transit-oriented development in and around the train station provided that it is in substantial conformance with the conservation, infrastructure, and development strategies identified in the POCD is “firmly tied” to the construction of the railroad station.

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<th>Encourage Transit-Oriented Development</th>
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<td>1. Continue to support development of a train station in Orange.</td>
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<td>2. Continue to promote transit-oriented development in and around the train station.</td>
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Coordinate With DOT

At the present time, CTDOT is having conversations about the future train station which do not involve the Town of Orange.

To ensure that the long term nest interests of the Town are considered, Orange should be involved in the conversations.

Consider A “Special Services District”

At some time in the future, Orange may wish to consider the establishment of a “special services district” (SSD) for the TODD area. This might help the Town and the property owners maintain the roadways and other improvements.

Voters in the district must approve the establishment of an SSD at a referendum. Once approved, the SSD (sometimes called a business improvement district) becomes a type of special taxing district authorized under CGS Section 7-339m et seq. The SSD can:
1. acquire and convey real and personal property;
2. provide any service that a municipality can provide, other than education;
3. recommend to the municipality’s legislative body that it impose a separate tax on property in the district to support its operations;
4. borrow money for up to one year backed by district revenues; and
5. build, own, maintain, and operate public improvements.

The role of the municipality is to collect the funds authorized by the SSD (by an incremental tax rate on the tax bills of the members) and remit it to the SSD.
Amend Zoning Map – May 2017

Showing the “eligible” TODD Overlay area on the zoning map leaves the impression that the area is zoned TODD and this has the potential to be very confusing.

The PZC should remove this area from the Zoning Map so that the Zoning Map only shows areas that have been zoned TODD Overlay.

If desired, the PZC could put a note on the zoning map saying:

*See the POCD for areas which may be eligible for rezoning to TODD Overlay*
Amend TODD Regulations

*Proposed Amendments to the TODD District Regulations
May 2017

Article XXIV. Transit Oriented Development District

§ 383-215. Purpose of district.

A. The purpose of the Transit Oriented Development District ("TODD") is to create a high density mixed use, transit oriented development near a Metro North Rail Station. It is further the intent to provide a range of housing, businesses and services specifically geared towards commuters and users of the railroad, designed in an aesthetically pleasing, environmentally conscious and pedestrian scaled manner.

B. The properties within a Transit Oriented Development District shall be regulated by an approved concept plan, which includes any additional standards or requirements deemed appropriate by the Commission.

§ 383-216. Applicability.

A. In order to apply to the Planning and Zoning Commission for a zone change, the subject property must be located within the area designated as "Potential Transit Development Area TODD Eligible Area" as shown in the Plan of Conservation and Development, with an existing rail station or planned rail station with a documented financial commitment and regulatory permits in place for the construction of a rail station. If an application for a zone change is submitted on the basis of a planned rail station, then the applicant shall submit as part of the zone change application proceeding such material in form and content acceptable to the Commission relating to the status of the planned rail station.

B. Any property [as] within a single TODD development may be subdivided and/or re-subdivided with the approval of the Commission. The associated lots, provided that they are part of a single TODD development, need not comply individually and independently with the development, lot area, shape, frontage and other standards set forth in the Zoning Regulations.

§ 383-217. Permitted uses

A. Retail uses, including retail-banks, subject to the following:

(1) All retail uses shall be supportive of the principal land uses within the TODD, including the railroad station, offices, hotels and multi-family residential uses.

(2) The retail uses shall be designed to primarily serve the market of railroad station commuters, residents of the multi-family dwellings within the TODD, employees of the offices and/or hotels within the TODD, and guests of the hotels within the TODD. This shall be illustrated by size, type and signage of the proposed retail uses.

(3) No individual retail uses shall exceed 5,000 square feet of building area.
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(4) All retail uses shall be within a building used primarily for one of the other permitted uses. However, a free-standing retail building may be permitted when the Commission finds that such building promotes the character of the TODD and is consistent with the purpose of the TODD.

(5) All retail uses shall be oriented to a public or private street, or other public space.

B. Indoor restaurants, Restaurants and other food and beverage service establishments subject to the following:

(1) All restaurants and other food and beverage service establishments shall be within a building used primarily for one of the other permitted uses.

(2) All restaurants and other food and beverage service establishments shall be oriented to a public or private street, or other public space.

(3) Takeout service may be provided by restaurants and other food and beverage service establishments containing at least 250 SF of customer floor area.

(4) Outdoor dining is permitted by special permit or use when customers are seated and served at tables attached to the indoor dining area.

C. Business and professional offices, including medical offices.

D. Railroad transit stations.

E. Structured parking.

F. Hotels with accessory restaurants and/or conference centers.

G. Railroad transit stations, Day care centers.

H. Multi-family residential units subject to the following conditions:

(1) No more than 250 residential units can be created throughout the entire TODD District.

(2) No unit shall contain more than two bedrooms.

(3) No units shall be located on the ground floor of a structure.

(4) At least 15 percent of all housing units constructed within any development in the TODD shall be deed restricted to remain affordable for the life of the project to persons or families earning 80 percent or less of the area median income. In addition, at least 15 percent of all housing units constructed within any development in the TODD shall be deed restricted to remain affordable for the life of the project to persons or families earning 60 percent or less of the area median income. The area median income shall be as published by the U.S. Department of Housing and Urban Development (HUD). Affordable units shall be mixed throughout the development, and the proportion of affordable units by bedroom shall be identical to that of the overall project. At least 20 percent of all housing units constructed within this district shall be made affordable for the life of the project as per the requirements of Section 8-30g of the General Statutes of Connecticut and U.S. Department of Housing and Urban Development (HUD). Units shall be in order to protect the health, safety and welfare of the public. There shall be a maximum of
250 units within the TODD, mixed throughout the development, and the proportion of affordable units by bedroom shall be identical to that of the overall project.

(5) Except as provided in §383-217.F.(5) below, multi-family residential units shall only be permitted in conjunction with the development of office, hotel, retail or other similar commercial non-residential uses. There shall be a minimum of 1,000 square feet of such nonresidential use for each residential dwelling unit. Except as provided in §383-217.F.(5) below, a parking garage shall not count as non-residential space. The Commission may require the phasing of development to assure that the minimum nonresidential development occurs prior to or contemporaneously with the residential development. No residential unit shall be occupied prior to the completion of the qualifying commercial development.

(7) Except in order to promote the development of a train station, the Commission may endorse a concept plan where the number of residential units for the entity constructing the commuter parking structure shall be determined as follows:

(a) One (1) multi-family residential unit per 1,000 SF of office, retail or similar non-residential uses plus one (1) additional multi-family residential unit per three (3) parking spaces to be constructed in the commuter parking garage to be deeded to the State of Connecticut (such spaces in the commuter parking garage shall not count towards the parking requirements for the residential units).

(b) Not more than 200 residential units may be so authorized.

(6) No residential development shall exceed a density of 10 units per acre of land.

§ 383-218. Site design.

A. Parking.

(1) On street parking shall be provided in the vicinity of all retail and service uses. This may be parallel or angled spaces. Surface parking lots may be permitted if in the opinion of the Commission sufficient parking cannot be provided on the street or in a parking structure alone. Parking lots shall not be located between the principal building and a public or private street.

(2) Parking for the rail station shall be provided in a multi-level parking structure located within 300 feet of the station. Parking counts or reports from similar train stations shall be provided to assist the Commission in determining an appropriate number of parking spaces.

(a) The owner or operator of or holder of any interest in of-said structure may charge a fee for parking.

(b) The applicant shall submit plans demonstrating adequate circulation for the peak number of trips anticipated, drainage and ventilation of the parking structure.

(3) Landscaping and/or planters shall be placed around all parking lots and structures. Surface parking lots shall have landscaped islands and borders which consist of grass lawns, low shrubs, perennials, and trees and provide visual interest in all seasons. For any parking area with 30 or more parking spaces, one tree and one low shrub shall be provided for every 10 spaces or
fraction thereof. The species of trees is subject to the review and approval of the Commission. Trees shall not have a caliper less than 2 1/2 inches, nor a height of less than eight feet. Required trees and shrubs must be located in planting islands within the parking area, rather than on adjacent borders. Planting islands for required trees and shrubs shall not be less than 180 square feet nor have a minimum dimension less than eight feet.

(4) All parking structures shall be designed in a way that does not create an adverse impact upon roadways or other spaces, in ways through architectural design and placement of other uses between the parking structure and the public spaces.

(5) Parking for residential units shall be provided at one space per every one bedroom unit and 1.5 spaces for every two bedroom unit. Parking for residential units may share spaces in any structured parking facility, provided that the entryway to the building is not in the lane containing the residential units and is located within 300 feet of the closest entrance of said parking facility and lighted pedestrian walking paths or sidewalks are provided.

(6) Parking for hotels shall be provided as required by the zoning regulations (1.5 spaces for each sleeping room plus spaces as required for restaurants or conference facilities). A portion of the parking requirement is encouraged to be located underground.

(7) Parking for office, office, retail, restaurant or other commercial uses shall be provided at three spaces per 1,000 square feet of office space floor area. Parking may be provided in a structure and/or underground.

(8) All parking spaces and facilities are encouraged to be shared or jointly used wherever possible. The Commission may consider the joint or shared use of parking, upon review of a parking use study, submitted by the applicant, which analyzes periods and amount of projected usage for each of the proposed uses. The Commission may reduce the parking requirements as set forth in 42CFR-218A this Section for particular uses upon:
- A demonstration that such lesser amount of parking is sufficient for the proposed uses and
- Provision of any documents required to memorialize any parking arrangement or agreement.

(9) Parking stalls shall be a minimum of eight-nine feet wide by 18 feet in length, but would be required to be nineteen (19) feet in width in areas low turnover parking structures determined to be low turnover parking spaces. Where ninety-degree parking spaces are provided, a twenty-four-foot aisle way should also be provided. Angled spaces are permitted with the angle not to be less than 60-45 degrees. Angled spaces shall require a minimum fifteen-foot aisle and appropriate one way signage and surface markings. Parallel spaces are permitted in close proximity to retail and personal service uses only and shall be clearly marked as temporary spaces only so as to prohibit use by commuters. Parallel spaces shall be nine feet in width by 20 feet in length and shall require painted ground markings to divide spaces.

B. Loading: Loading spaces shall be provided in such number, location and design as the Commission deems sufficient to serve the TODDE development. Loading spaces may, at the discretion of the Commission, be shared by multiple buildings and/or located on street and/or located with on-street parking spaces. The Commission may regulate the hours of operation of loading spaces.

C. Open space/public gathering spaces. Any development within the TOD shall provide for areas of open space and/or civic space to enhance the overall TOD area. The concept plan shall include public sitting and gathering areas which may include but is not limited to a public plaza or passive recreation areas. The
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area shall be equipped with benches or chairs, pedestrian scaled lighting, and adequate trash receptacles. The area(s) should be generally centrally located in the most advantageous locations on the site. Water features and public art are encouraged to be included.

Open space/public gathering spaces. The plan shall include public sitting and gathering areas which may include but is not limited to a public place or passive recreation areas. The area shall be equipped with benches or chairs, pedestrian scaled lighting, and adequate trash receptacles. The area(s) should be generally centrally located on the site. Water features and public art are encouraged to be included.

Development should include "low-impact development" (LID) approaches to stormwater management.

D. Building design.

1. The first floor of all mixed use or non-residential buildings should be orientated to public streets and pedestrians—rather than parking lots. At least 50% of the front facade of a first floor use which is facing a new or proposed public street shall be windows. Mirrored glass or dark tints which block views of inside the building from the outside is prohibited. Mullions are permitted as long as they are appropriate for the overall architectural style of the building. Doors which swing into the sidewalk area shall be recessed so as not to conflict with pedestrian movements. Awnings, colorful window displays, and other elements which create visual interest are encouraged.

2. In keeping with the desired pedestrian scale, developments with facades over 50 feet in length will be designed to visually reduce the scale and mass of the building by either extending or recessing the facade to break up the flat plane of the building or by providing projecting features on the front facade such as entry areas, arcades or bay windows.

3. Unless otherwise approved by the Commission, architectural styles found in and around the area and elsewhere in New England's early periods should be used. Applicants should use decorative details on the exterior of the building appropriate to the architectural style that is being emulated. Buildings should have minimum details of window sills and frames and door frames. Other details such as quoins and lintels are encouraged.

4. Natural building materials such as stone, brick or wood should be used. Exterior building materials shall be clearly specified as part of the concept plan and the detailed site plans submitted with the special permit applications. Materials which provide an identical outward appearance may be used subject to review and approval by the Commission. Prefabricated aggregate stone shall not be permitted. Wrought iron, copper or other metalwork can be used in detailing for items such as railings, balconies or other architectural details but shall not be used for visible doors or siding. A combination of materials may be used but the entire building should be of the same architectural style. Concrete blocks shall not be visible on any outer facade of a building.

5. A parking structure for a train station shall be located in close proximity to the train station and shall be designed and constructed to reduce its appearance of being a parking structure. Other parking structures should not be located directly on or be visible from a main access road or access drive within the TODD area. Unless a parking structure is designed with similar architecture as other buildings in the TODD development or otherwise shielded by landscaping or liner buildings, the parking structure shall not be located on a main access road or access drive within the development and shall not be visually prominent from open or public gathering spaces. Parking structures shall be landscaped or have planters located near all entrances.

6. All rooftop utilities or other equipment shall be concealed from view of pedestrians, car traffic and residential units which may be located on higher floors. Mansard roof or gabled roofs are
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preferred with flat roofs only being permitted where the proposed structure is taller than adjacent structures. Flat roofs should have a parapet and cornice appropriate to the architectural style of the building. More ornamental architectural details such as dentils, corbels and an ornamental frieze are encouraged.

(7) Fabric awnings are permitted with steel supports over windows or storefronts. Colors and lettering on all awnings on the same building shall be uniform. No neon signs shall be permitted.


A. Vehicular Circulation - Any development within the TODD shall demonstrate how it will contribute to the establishment of an overall roadway system that will benefit the TODD area. The Commission may require that roadways be deeded to the Town and/or that access easements be provided to the Town in order to ensure that this outcome is achieved.

B. Traffic Impacts - Any development within the TODD shall demonstrate how it will address and mitigate traffic impacts from the proposed development. The Town may hire a traffic consultant (at the applicants’ expense) to ensure that traffic issues are adequately addressed.

C. Pedestrian / Bicycle Circulation - Any development within the TODD shall demonstrate how it will contribute to the establishment of an overall pedestrian and bicycle system that will benefit the TODD and surrounding parts of the community. A pedestrian circulation plan showing safe, illuminated means of circulation throughout the site shall be provided. Pathways and sidewalks shall conform to any model sidewalk specifications (width, materials, street furniture, etc.) established by the Commission for the TODD area. Bicycle lanes and locations for secure bicycle racks shall be incorporated.

D. Transit Connections - Any development within the TODD shall demonstrate how it can accommodate transit services which may be available at the time of application or provided in the future.

E. Piped Utilities - Any development within the TODD shall demonstrate how it has addressed the need for an overall approach to providing for piped utility systems (such as water, sewer, natural gas, storm drainage, etc.) for the subject site and other sites within the TODD and adjacent areas. Development in the TODD area should include "low impact development" (LID) approaches to stormwater management.

F. Long Term Maintenance - Any development within the TODD shall demonstrate how it has arranged for or will participate in a long-term maintenance program for the TODD area (including a Special Services District if created).

At least 20% of all housing units constructed within this district shall be made affordable for the life of the project at a medium income that is less than or equal to eighty (80%) percent of the medium-income as determined by applicable requirements of Section 8-30g of the General Statutes of Connecticut and U.S. Department of Housing and Urban Development (HUD). Units shall be mixed throughout the...
development, and the proportion of affordable units by bedroom shall be identical to that of the overall project.

§ 383-220. Procedural requirements.

A. Informal consideration. It is recommended that, prior to the submission of a formal application for approval of a Transit Oriented Development District or a Transit Oriented Development District TODD project, the applicant review with the Commission and its staff in preliminary and informal manner any proposal for a TODD project-related application.

B. Petition. A petition for a change of zone for the establishment of a Transit Oriented Development District (TODD) shall be submitted to the Commission in writing and shall be signed by the owner or owners of all parcels within the proposed district, in accordance with the provisions of § 383-210, and shall be accompanied by the following:

(1) Statement. A written statement specifying the proposed uses of the area, special design considerations and features, architectural guidelines and themes, and how the proposal is consistent with the purpose of the Transit Oriented Development District (TODD).

(2) Conceptual plan. A conceptual plan shall be presented to the Commission showing the general intent of the proposal. The following information shall be presented in enough detail to allow the Commission to determine if the plan is in the spirit of the Zone’s intent.

(a) Location and size of property, including a boundary map and a map showing the project site in the context of the surrounding area.

(b) Existing topographic grades of the property, shown in accordance of a minimum of five foot intervals.

(c) Location of proposed buildings, lots, roads, parking areas and structures, open space areas, including proposed general grading characteristics.

(d) Plans for construction information regarding the proposed development of a rail station.

(e) General building and parking layout.

(f) Proposed area and gross square footage of the proposed buildings and uses.

(g) Concept plan for uses to be proposed which may not necessarily include specific tenants.

(h) General vehicular and pedestrian circulation showing all proposed public and private drives, walking paths, sidewalks, and means of traffic calming and/or pedestrian safety.

(i) Proposed public areas such as parks, lawn areas and recreational facilities.

(j) Landscaping and lighting plans showing areas of existing mature trees, all existing and proposed surface water resources, proposed landscaping treatments, proposed open space and recreational areas, and detail of proposed pedestrian-scaled lighting fixtures to be used. Any development within the TODD shall provide for street trees, landscaping, and other enhancements to the public realm.
(k) General streetscape and architectural design or theme, with exterior elevations, perspective drawings and descriptive information regarding building materials and exterior finishes.

(3) Tentative construction timeline and phasing plan.

(a) Existing and proposed utility plan.

(b) Proposed grading of the property in a general concept, including the proposed amount of material which would be added, removed, and/or relocated on the property.

(c) Traffic impact analysis, which describes the potential impact of the proposed uses on public roads, and, if needed, includes recommended improvements to such roads; and the adequacy and efficiency of the proposed internal circulation system. The Commission may request that the traffic impact be analyzed as to individual components of the overall plan.

(4) Application fee. Fees shall be paid to amend the Zoning Map as set forth in § 270-1 of the Town Code with an additional fee for special permit approval and for site plan approval, as set forth in this section, to be paid at the time of submission of detailed development plans once the Commission determines the concept plan is acceptable.

C. Review of concept plan.

(1) After the application submission has been deemed complete for the establishment of a Transit Oriented Development District, the Commission shall review the application for completeness of submission, and may require additional information. The complete application shall be reviewed at a public hearing and during this review may hold meetings with the petitioner and require additional information. The Commission shall hold a public hearing on the application.

(2) After the public hearing, the Commission may disapprove, endorse or not endorse or give approval to the concept plan or approval to amend the concept plan, subject to modifications specified by the Commission. If the Commission does not endorse the concept plan, it shall not approve the zone change request. Approval Endorsement of the concept plan shall not constitute preliminary or final approval of any development within the Transit Oriented Development District and shall simply only authorize the submission of a special permit application and detailed site plans at a later date setting forth the in detail the specifics of the proposed development and showing any modifications specified by the Commission. No entitlement or vested right shall be established by the submission, review, or preliminary endorsement of a concept plan as part of a zone change request.
D. Special permit/site plan applications. A special permit application along with a detailed site plan and a site plan application shall be submitted to the Commission as required by Article XIII of the Zoning Regulations prior to any construction or development within the TODD.

(1) A pedestrian circulation plan showing safe, illuminated means of circulation throughout the site. Proposed material for pathways will be presented on a detail plan. This plan shall also incorporate locations for secure bicycle racks.

E. Criteria for approval of special permit/site plan application/site plan. The Commission may approve the special permit only after the Commission finds that the proposed development is consistent with the approved concept plan and any other requirements included within its approval. The Commission may approve the site plan only after the Commission finds that the site plan is consistent with the approved concept plan and any other requirements included within its approval.

§ 383-221. Requirements for maintenance of common land and facilities.

In order to ensure long-term maintenance of commonly held land and facilities and to prevent maintenance expenditures by the Town, the following shall be required:

A. All TODD projects shall be approved subject to the submission of a legal instrument setting forth a plan or manner of permanent care and maintenance of open spaces, recreational areas, common parking spaces, drainage facilities and other commonly held facilities. This document shall be approved by the Town attorney.
Referral 2.4: Town of Madison

Subject:

Proposed Zoning Regulation Amendments to Section 6.1.2.2, 6.15.2, and 6.15.7 regarding Multi-Family Dwelling Units in the C District.

Staff Recommendation:

The proposed zoning regulation amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The Town of Madison has submitted proposed zoning regulation amendments to Section 6.1.2.2 and 6.15.2 regarding Multiple Family Dwelling Units in the C District. The amendment eliminates a requirement that these housing units can only be located above the first floor of a commercial use. They are permitted only in association with an existing or proposed commercial use, and the total floor area of the dwelling unit cannot exceed 200% of the associated commercial floor area. Garage floor area does not count toward the total floor area of the dwelling unit. Madison’s C District is within 500 feet of Guilford’s R-3 District.

The Town proposed other zoning regulation amendments that are not within 500 ft of an adjacent municipality. All amendments can be reviewed in the agenda packet.

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
RPC Referral
South Central Regional Council of Governments
127 Washington Avenue
4th Floor – West
North Haven, CT 06473-1715

Proposed regulation amendments to Section 6.1.2.2, 6.15.2, and 6.15.7 of the Madison Zoning Regulations to
(1) eliminate the requirement that Multiple Family Dwelling Units in the C District be located above the first
floor of a commercial use and (2) eliminate the requirement that each dwelling unit in a Planned Residential
Development in the Transition District (T District) have its own entry from the exterior of the building.

To Whom It May Concern:

Pursuant to the Connecticut General Statutes, you are hereby notified of the pendency of the above
referenced application before the Madison Planning and Zoning Commission. The application and text
of the proposed regulation change is enclosed.

This application is scheduled to be heard by the Planning and Zoning Commission on Thursday, May
18, 2017, 7:30 p.m., in Meeting Room A, Madison Town Hall, 8 Campus Drive, Madison,
Connecticut.

We look forward to your comments after your review.

Sincerely,

Mary R. Haburay
Land Use Assistant

Enclosures
RPC Referral Submission Form
South Central CT Regional Planning Commission

1.) General Information:

Date Sent: 4/28/17

 Subject: P&Z application # 17-13 Regulation Amendment

Applicant Name: Madison Planning & Zoning Commission

Property Address (if applicable): __________________________

Town/City: Madison

☐ Referral is from a private individual

☐ Referral is from the Town/City Planning Department or the P & Z Commission

Public Hearing Date: 5/18/17

2.) Statutory Responsibility:

☐ Application involves a subdivision of land within 500 feet of a town/city border

☐ Application involves a proposed change to a town/city zoning regulation

☐ If neither, applicant requests a voluntary RPC review for informational purposes

☐ Material is for informational purposes only; an RPC resolution is not necessary

☐ Other: __________________________

3.) Process:

☐ Material sent “Return Receipt Requested” (as required by law)

☐ Information on proposed change included

☐ Existing language included (if applicable)

4.) Preferred contact regarding this RPC referral:

Name: David Anderson

Telephone Number: 203-245-632

E-mail Address: anderson.d@madisonct.org

Comments: __________________________

Questions: (203) 234-7555
South Central Regional Council of Governments | http://www.sccog.org
1. LAND LOCATION AND DESCRIPTION (for Zone Boundary Change Petitions):
   a. Street Address:

2. TITLE OF PROJECT: ____________________________________________________

3. PETITIONER:
   a. Name: Town of Madison Planning and Zoning Commission
   b. Mailing address: 8 Campus Drive, Madison, CT 06443
   c. Phone: 203-245-5632 Fax: 203-245-5613
   d. If corporation, list names and addresses of officers:
      ___________________________________________________________________

   e. Interest in property: ________________________________________________

4. RECORD OWNER (for Zone Boundary Change Petitions):
   a. Name: _____________________________________________________________
   b. Mailing Address: __________________________________________________
   c. Phone: __________________ Fax: _______________ email: __________________

5. DESIGNATED CONTACT:
   a. Name: David Anderson, Director of Planning and Economic Development
   b. Mailing Address: 8 Campus Drive, Madison, CT 06443
   c. Phone: 203-245-5632 Fax: 203-245-5613 email: andersond@madisonct.org

6. PROFESSIONAL ENGINEER:
   a. Name: _____________________________________________________________
   b. Mailing Address: __________________________________________________
   c. Phone: __________________ Fax: _______________ email: __________________

7. LICENSED LAND SURVEYOR:
   a. Name: _____________________________________________________________
   b. Mailing Address: __________________________________________________
   c. Phone: __________________ Fax: _______________ email: __________________
8. LICENSED ARCHITECT:
   a. Name: ____________________________________________
   b. Mailing Address: __________________________________
   c. Phone: _______ Fax: _______ email: ________________

9. LANDSCAPE ARCHITECT / LANDSCAPER:
   a. Name: ____________________________________________
   b. Mailing Address: __________________________________
   c. Phone: _______ Fax: _______ email: ________________

10. ATTORNEY:
    a. Name: ____________________________________________
    b. Mailing Address: __________________________________
    c. Phone: _______ Fax: _______ email: ________________

11. [ ] This Petition requests an amendment to the Zoning Map or to boundaries of certain Zoning Districts, and there is attached:
    [ ] A map clearly indicating the area to be reclassified and specifying the present classification and proposed new classification with existing and proposed boundaries;
    [ ] A list, keyed to the map, of the names and addresses of the record owners of land within, and within 500 feet outside, the area to be affected by such reclassification;
    [ ] Area computations, be record owner, for all parcels or portions of parcels within, and within 500 feet outside, the area to be affected by such reclassification;
    [ ] A complete written description by metes and bounds or courses and distances, of the location of any new District boundary or boundaries proposed.

AND/OR

12. [ ] This Petition requests an amendment to the text of the Regulations and there is attached:
    [ ] A full text of the proposed change in the Regulations, clearly indicating existing provisions to be repealed and new provisions to be enacted.

13. SUBMISSION REQUIREMENTS include a complete and comprehensive statement of the reasons for any proposed change, including any special interest the Petitioner(s) may have in such change.

14. COASTAL BOUNDARY. Petitions affecting land partially or fully within the Madison Municipal Coastal Boundary must be referred to CT DEP Office of Long Island Sound Programs.
    Site [ ] is [ ] is not within the Coastal Boundary.

15. ADJOINING MUNICIPALITIES. Petitions affecting sites within 500 feet of, or affecting, an adjacent municipality require notification to that municipality and to the regional planning agency.
    [ ] Site is within 500 feet of an adjoining municipality.
    [ ] Site is not within 500 feet and will not impact any adjacent municipality.

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16. WATER COMPANY NOTIFICATION. The applicant must provide written notice to the affected water company and to the CT Department of Public Health when any petition affects an aquifer protection area or watershed of that water company.

☐ Project is not within an aquifer protection area or watershed of a water company.
☐ Project is within an identified Level A Aquifer Protection Area or a water company watershed and that company and the CT DPH have been notified.

20. CONSERVATION COMMISSION INFORMATION.

a. Is the property enrolled in any local or state forest, open space or farm tax abatement program? ☐ yes ☐ no. If yes, then please describe:

b. Have any prior proposals and/or applications been submitted for this site? ☐ yes ☐ no. If yes, please describe (attach additional sheets if necessary).

N/A

c. Identify all known dedicated or managed open space (e.g., Madison Land Conservation Trust, Subdivision Open Space), and any conservation easements (e.g., Madison Land Conservation Trust, Nature Conservancy) and indicate locations on the Plan(s).

N/A

d. WATERSHED. Identify by name and number the Subregional Drainage Basin in which the property is located and indicate the boundaries on the Plan(s).

N/A (Boundary maps are available for viewing in the Land Use Office or on the CT ECO website, www.cteco.uconn.edu/index.htm.)

e. UNIQUE HABITATS/SPECIAL AREAS. Site ☐ has ☐ does not have Unique Habitats or Special Areas as identified by DEP and/or the Town of Madison Plan of Conservation and Development. (DEP information available at CT ECO website, www.cteco.uconn.edu/index.htm. If yes, provide details and indicate the location on the Plan(s).

N/A

f. HISTORIC RESOURCES. Does the property contain any of the following? Check all that apply.

☐ Archaeologically significant sites ☐ Stone walls
☐ Historically significant sites (e.g., iron works, mill sites)

Locate on the Plan(s) and describe in the space below. For information on archaeological sites, contact the Office of State Archaeology (State Archaeologist Nicholas Bellantoni, phone 860-486-5248, email nicholas.bellantoni@uconn.edu).

N/A
g. RECREATIONAL RESOURCES. Does the property contain, or is it adjacent to, any of following? Check all that apply.

- [ ] Maintained trails
- [ ] Recreational areas
- [ ] Other: ________________________________

Locate on the Plan(s) and describe in the space below. (Information may be obtained from the Madison Land Conservation Trust, the Regional Water Authority, the Madison Recreation Department, the Madison Plan of Conservation and Development.)

N/A

h. SCENIC RESOURCES. Does the property contain any scenic vistas, scenic areas, or scenic roads? [ ] yes  [ ] no. If yes, locate on the Plan(s) and describe in the space below.

N/A

i. Attach any additional information which may be helpful to the Commission’s review.

17. SIGNATURES REQUIRED ON THIS APPLICATION. The following is the legal agreement regarding this petition which must be signed by the applicant and by all property owners of property for which a zone boundary change is petitioned.

The undersigned hereby applies for approval of the foregoing Zone Boundary Change and/or Regulation Amendment and declares that the statements contained in this application and in all documents and/or drawings submitted as part of same are, to the best of his/her knowledge and belief, true and accurate as presented.

PETITIONER(S)

[Signature]

David Anderson  
4/26/17

[Signature]

[Signature]

[Signature]

OWNER(S)

[Signature]

[Signature]
Proposed Regulation Amendment Description:

Proposed regulation amendments to Section 6.1.2.2, 6.15.2, and 6.15.7 of the Madison Zoning Regulations to (1) eliminate the requirement that Multiple Family Dwelling Units in the C District be located above the first floor of a commercial use and (2) eliminate the requirement that each dwelling unit in a Planned Residential Developments in the Transition District (T District) have its own entry from the exterior of the building.

6.1.2.2 Uses that require Special Exception Review:

/ / Multiple family Dwelling Units above first floor commercial uses, subject to the additional requirements in Section 6.15.2

6.15.2 Multiple Family Dwelling Units in the C District Above First Floor Commercial Uses

a) Each Dwelling Unit shall be located above the first floor of the Building and shall be used solely as either (1) a residence by the owner thereof, or (2) an apartment leased for periods of no less than three months.

b) Multiple Family Dwelling Units shall be permitted only in association with an existing or proposed commercial use. The total Floor Area of the Dwelling Units shall not exceed 67200% of the Floor Area of the Building commercial use in which they are located associated. For the purpose of this section, the floor area of a garage shall not count towards the floor area of the multiple family dwelling unit.

c) No dwelling unit shall have more than two (2) bedrooms.

6.15.7 Planned Residential Development (Section added July 17, 2014; effective July 25, 2014)

a) Each Planned Residential Development shall have at least 100 feet frontage on a public highway or unobstructed easement of access or exclusive right-of-way at least 50 feet wide on a public highway.

b) A Planned Residential Development shall consist of one or more buildings with a maximum of six (6) dwelling units in each building.

c) Each dwelling unit shall contain not more than three bedrooms and shall be served by a public water supply.

d) The average density for each Planned Residential Development shall be not more than eight dwelling units per acre.

e) Each dwelling unit shall have its own entry from the exterior of the building in which it is located.

Special Bulk Standards for Planned Residential Developments.

Notwithstanding the provisions of Section 6.4.3, the Commission may allow the following Bulk Standards for Planned Residential Developments:

i) The maximum building coverage shall be 20%.

ii) The maximum floor area ratio shall be 30%.